

**BEFORE THE WEST VIRGINIA BOARD OF MEDICINE**

**IN RE: CARL ALBERT RECINE , M.D.**

**CONSENT ORDER**

The West Virginia Board of Medicine ("Board") and Carl Albert Recine, M.D. ("Dr. Recine"), freely and voluntarily enter into the following Consent Order pursuant to the provisions of W. Va. Code § 30-3-14, *et seq.*:

**FINDINGS OF FACT**

1. Dr. Recine currently holds a license to practice medicine and surgery in the State of West Virginia, License No. 23547, issued originally in 2009. Dr. Recine's address of record is in Coeur D'Alene, Idaho.

2. On March 13, 2009, Dr. Recine entered into a Settlement Agreement with the Hawaii Medical Board ("Hawaii Board"). The Hawaii Board brought action against Dr. Recine after it was discovered that his license had been acted against by the Colorado State Board of Medical Examiners, the North Carolina Medical Board and the California Board. The Hawaii Board noted that although Dr. Recine had notified them of the Colorado and North Carolina actions, he had failed to report all of the actions to the Hawaii Board within thirty (30) days as required by law. The Hawaii Board issued the Settlement Agreement and reprimanded Dr. Recine.

3. On May 11, 2009, the Complaint Committee of the Board initiated a Complaint against Dr. Recine in relation to the action taken by the Hawaii Board.

4. Dr. Recine responded to the Complaint initiated by the Complaint Committee by letter of June 1, 2009. In his response, Dr. Recine attributed the delayed reporting to Hawaii to an administrative error made in the credentialing department of his employer. Dr. Recine indicated that while an administrative error had occurred, no fraudulent misrepresentation was made, noting that he had notified the Board of the Hawaii action within thirty (30) days.

### **CONCLUSIONS OF LAW**

1. The Board has a mandate pursuant to the West Virginia Medical Practice Act to protect the public interest. W. Va. Code § 30-3-1.

2. Probable cause exists to substantiate charges against Dr. Recine pursuant to W. Va. Code § 30-3-14 (c)(17) and 11 CSR 1A 12.1 (g) relating to having his license in another jurisdiction acted against and subjected to disciplinary action.

3. The Board has determined that it is appropriate and in the public interest to waive the commencement of proceedings against Dr. Recine and to proceed without the filing of formal charges in a Complaint and Notice of Hearing, provided Dr. Recine complies with the terms and conditions set forth herein.

### **CONSENT**

Carl Albert Recine, M.D., by affixing his signature hereon, agrees solely and exclusively for purposes of this agreement and the entry of the Order provided for and stated herein, and the proceedings conducted in accordance with this Order, to the following:

1. Dr. Recine acknowledges that he is fully aware that, without his consent here given, no permanent legal action may be taken against him except after a hearing held in accordance with W. Va. Code § 30-3-14 (h) and W. Va. Code § 29A-5-1, *et seq.*

2. Dr. Recine further acknowledges that he has the following rights, among others: the right to a formal hearing before the West Virginia Board of Medicine, the right to reasonable notice of said hearing, the right to be represented by counsel at his own expense, and the right to cross-examine witnesses against him.

3. Dr. Recine waives all rights to such a hearing.

4. Dr. Recine consents to the entry of this Order relative to his practice of medicine and surgery in the State of West Virginia.

5. Dr. Recine understands that this Order is considered public information, and that matters contained herein may be reported, as required by law, to the National Practitioner Data Bank and the Healthcare Integrity and Protection Data Bank.

### **ORDER**

**WHEREFORE**, on the basis of the foregoing Findings of Fact and Conclusions of Law of the Board, and on the basis of the consent of Dr. Recine, the West Virginia Board of Medicine hereby **ORDERS** as follows:

1. Carl Albert Recine, M.D., is hereby **PUBLICLY REPRIMANDED** for having his license in another jurisdiction acted against and subjected to disciplinary action.

The foregoing Order was entered this 28th day of August, 2009.

WEST VIRGINIA BOARD OF MEDICINE

John A. Wade, Jr., M.D.  
John A. Wade, Jr., M.D.  
President

Catherine C. Slemp  
Catherine Slemp, M.D., M.P.H.  
Secretary

Carl Albert Recine, M.D.  
Carl Albert Recine, M.D.

Date: 8-12-09

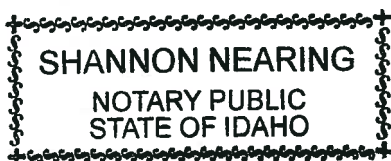
STATE OF Idaho

COUNTY OF Kootenai

I, Shannon Nearing, a Notary Public in and for said county and state do hereby certify that Carl Albert Recine, M.D., whose name is signed on this page, has this day acknowledged the same before me.

Given under my hand this 12 day of August, 2009.

My commission expires 3/17/15.



Shannon Nearing  
Notary Public